

### **REMARKS**

Claims 1-12, all the claims pending in the application, stand rejected. Claims 1 and 8 have been amended.

#### ***Drawings***

The Examiner has requested replacement drawing for the new drawing sheet previously submitted. The replacement sheet is in preparation and will be submitted in due course, upon an indication of allowability of a claim..

#### ***Specification***

The Examiner has objected to the specification because of a misspelling and the use of an abbreviation. Appropriate changes to the specification at pages 1 and 3 have been made.

#### ***Claim Objections***

Claims 1-12 are objected to because of misspellings in claims 1 and 8. These errors have been corrected.

#### ***Claim Rejections - 35 USC 102***

**Claims 1 and 9-12 are rejected as being anticipated under 35 USC 102(b) by either Hair et al (3,673,331) or Kunihiro (5,014,295), or in the alternative as being anticipated under 35 USC 102(a) by Wolf (5,737,393), or in the alternative as being anticipated under 35 USC 102(e) by any of Laitinen et al (6,091,826), Kanevsky et al (5,953,700) or Buhrmann (6,405,032).**

**Claim 2 is rejected as being anticipated under 35 USC 102(b) by Hair et al (3,673,331), or in the alternative as being anticipated under 35 USC 102(e) by either Laitinen et al (6,091,826) or Kanevsky et al (5,953,700).**

**Claims 3 and 5 are rejected as being anticipated under 35 USC 102(a) by Wolf (5,737,393) or in the alternative as being anticipated under 35 USC 102(e) by Buhrmann (6,405,032).**

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**Claim 4 is rejected as being anticipated under 35 USC 102(b) by Kunihiro (5,014,295).**

**Claim 6 is rejected as being anticipated under 35 USC 102(a) by Wolf (5,737,393).**

**Claim 7 is rejected as being anticipated under 35 USC 102(b) by Kunihiro (5,014,295), or in the alternative as being anticipated under 35 USC 102(a) by Wolf (5,737,393), or in the alternative as being anticipated under 35 USC 102(e) by Laitinen et al (6,091,826).**

**Claim 8 is rejected as being anticipated under 35 USC 102(b) by Kunihiro (5,014,295), or in the alternative as being anticipated under 35 USC 102(a) by Wolf (5,737,393), or in the alternative as being anticipated under 35 USC 102(e) by Kanevsky et al (5,953,700) or Buhrmann (6,405,032).**

These rejections are traversed for at least the following reasons.

In response to the Examiner's rejection, claim 1, which originally was expressly directed to an access control device having (1) an electronic identification means and (2) an audio communications device, has been amended to expressly state a configuration adapted to "*access a common physical communications system*". Applicants note that the prior art cited by the Examiner relates to access control devices that are wireless, and thus, distinct from the present invention, as discussed in the specification. Applicants respectfully assert that that the amended wording of the claim clarifies this key and distinguishing aspect of the invention. Applicants respectfully submit that the term "access control device" as used in the specification clearly refers to controlling access to an area or region.

Support for this amendment to the claims as seen in the specification on page 5, lines 9-14 and on page 6 from lines 8-15.

Applicants respectfully submit that the claims as now amended clearly define the invention as an access control device with electronic identification means and an audio communications device linked to the same common communication system. Applicants contend

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that one skilled in the relevant art would clearly understand the scope of the present invention as defined in claim 1 and as supported by the text of the specification submitted.

Specifically, in regards to the prior art cited by the Examiner:

**Hair et al (US 3, 673,331)**

Applicants note that Hair et al relates to a transactional device, not an access control device, where voice data is sent to a central processing station facility (column 3, lines 60-65) along a communication link. Also, the electronic identification means does not share a common communication system with the audio communications device as the identification means is attached to a different system which activates a light. This is not a common communications system as is now set forth in amended claim 1.

**Kunihiro (US 5,014,295)**

Kunihiro refers to access data being transmitted from a master station to a plurality of remote stations. In this case, the audio communications device is a handset, and it has a separate communications system from the electronic identification means, which is simply sending data to the receiving station. Therefore, it does not access a common communication system, and this system is not physical.

**Wolf (US 5,737,393)**

This citation refers to a voice mail system, which plays “audio clips”. Applicants assert that the audio communications device and the electronic identification means do not share a common communications system as they access a telephone line. Applicants also assert that the device is not an access control device as the system in this citation simply plays clips to the user, it does not allow them access to an area. An access control device, as discussed in the specification refers to access to an area or region.

**Laitinen et al (US 6,091,826)**

Laitinen et al refers to a targeted loud speaker message system. Applicants respectfully submit that this patent in no way relates to an access control device, nor do the electronic

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identification and auto communications device access a common physical communications system, as the loudspeakers simply provide a broadcast facility.

**Kanevsky et al (US 5,953,700)**

This patent refers to a cordless phone system. Applicants note that in this reference, the ASSR system disclosed uses a communication channel being a telephone line (column 6, lines 40-43). This communications channel is not a common communications system, and therefore Applicants assert that the amended claim 1 is not anticipated by Kanevsky et al. Also, as this device is not an access control device, Applicants respectfully submit that the teachings in this citation cannot anticipate their invention.

**Buhrmann (US 6,405,032)**

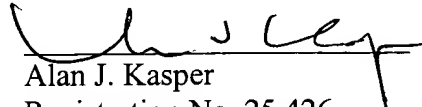
Buhrmann refers to retrieving voice mail by use of dedicated function keys on a phone unit. However, Applicants assert that as there is not reference to a password being entered, nor is an electronic identification means included in the citation, and therefore it the citation does not anticipate to the claimed invention. The technology also relates to a mobile phone, not an access control device, as defined in the claims and taught in the specification.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
Alan J. Kasper  
Registration No. 25,426

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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